

REMARKS/ARGUMENTS

Status of the Claims

Before this Amendment, claims 1-14 and 20-26 were present for examination. Claims 1, 10, and 24 have been amended, and no claims have been canceled or added. Therefore, claims 1-14 and 20-26 remain present for examination, and claims 1, 10, and 24 are the independent claims. Support for the amendments may be found in the Specification (Original Application, p. 5, ll. 6-15; p. 6, ll. 5-9, 26-31).

The Final Office Action dated May 15, 2009 ("Office Action") rejected claims 1-14, 20, 21, and 23-26 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of Masukura et al., U.S. Publication No. 2004/0148640 ("Masukura"), and further in view of the cited portions of Yamauchi et al., U.S. Patent No. 5,907,659 ("Yamauchi"), and Official Notice. The Office Action rejected claim 22 under 35 U.S.C. §103(a) as being unpatentable over Masukura and Yamauchi, and further in view of the cited portions of Duffield et al., U.S. Patent No. 5,461,427 ("Duffield"). Applicants respectfully request reconsideration for the reasons that follow. A Request for Continued Examination is filed concurrently herewith.

35 U.S.C. §103(a) Rejections, Masukura et al.

The Office Action rejected independent claims 1, 10, and 24 under 35 U.S.C. §103(a) as being unpatentable over Masukura in view of Yamauchi and Official Notice. Applicants, however, believe that significant limitations from the amended independent claims are not taught or suggested by the cited references.

Specifically, neither Masukura nor Yamauchi can be relied on to teach or suggest the following limitations, as generally set forth in the independent claims:

1) the integration of a stream of images making up a video program having the first aspect ratio with conversion information that dynamically changes across the stream of images and serves to convert the video program to a second aspect ratio, to thereby produce a combined set of video data formatted for viewing in both a) the first aspect ratio, and b) in the second aspect ratio according to the conversion information;

- 2) transmitting the combined set of video data in a single stream to a second location geographically away from the first location; or
- 3) processing the single stream at the second location to conform with the first aspect ratio or the second aspect ratio according to the conversion information as selectable by a receiving display device at the second location.

First Missing Limitation: Integration of Conversion Data with Video Program

Neither Masukura nor Yamauchi teach the claimed integration of a video program with conversion data to generate a combined set of video data. While Masukura may discuss the creation of video conversion information generally, there is no integration of this conversion data with a video program to create a combined set of video data. The independent claims generally specify that the combined set of video data be formatted for viewing both a) in the first aspect ratio and b) in the second aspect ratio according to the conversion information. Masukura instead relates to “the technique for [using conversion information in] cutting out an arbitrary region from the image of each frame constituting the input moving picture and processing the cut-out region” (Masukura, p. 1, ¶ [0012]). Masukura fails to teach or suggest that, before or after producing a cut-out image, the video conversion data be integrated with the original stream of images of the video program to generate a combined set of video data.

Yamauchi fails to provide additional teachings to support the claimed integration of conversion information with the stream of images of the video program. Yamauchi states that it is directed specifically to a “multimedia optical disc and disc reproduction apparatus which can superimpose subtitles onto a main video image” (Yamauchi, col. 4, ll. 41-43). Although Yamauchi mentions that images can be adjusted, the output product is various substreams that can be used when performing reproduction (Yamauchi, Fig. 15; col. 21, ll. 37-41). Yamauchi fails to teach or suggest that conversion data be integrated with the original stream of images of the video program to generate a combined set of video data. Neither Masukura nor Yamauchi, alone or in combination, can be relied upon to teach or suggest the claimed integration.

Second Missing Limitation: Transmission of Combined Data in a Single Stream

Neither Masukura nor Yamauchi suggest transmitting the combined set of video data in a single stream to a second location geographically away from the first location. Figure 1 of Masukura illustrates a process of creating a cut-out image. In this figure, the cutting-out unit **104** cuts out an image, and only the final cut-out is transferred to the display unit (Masukura, Fig. 1; Masukura, p. 2, ¶¶ [0030-32]). The express purpose described in Masukura is to create smaller, more portable files from the original set of images (Masukura, p. 1, ¶¶ [0006, 0008-09]), and it would thus appear to be antithetical to this purpose to integrate the video conversion data with the original data to thereby enlarge the output stream. Masukura fails to teach or suggest transferring a combined set of data that includes both conversion data as well as the stream of images of the video program having the first aspect ratio to a location geographically away from the first location. All that appears to be transferred by Masukura is a converted image, not a stream of data that allows conversion of video from a first aspect ratio into a second aspect ratio. Moreover, the Office specifically concedes that Masukura does not teach transmission of video conversion information that converts a video program having a first aspect ratio to a second aspect ratio.

Furthermore, Yamauchi does not cure the deficiencies of Masukura. The optical disc of Yamauchi provides only various streams of converted data (Yamauchi, Fig. 15). There is no teaching or suggestion of any transmission of aspect ratio conversion information that dynamically changes across a stream of images and has been combined into a single stream with the stream of images of the video program in the first aspect ratio. Yamauchi suggests at best that multiple streams of converted data can be created, and that data to generate the streams can be placed on an optical disc. This is far from transmitting a combined set of video data comprising a stream of images making up a video program along with dynamically changing aspect ratio conversion information.

Third Missing Limitation: Processing the Single Stream of Data

Finally, as neither Masukura nor Yamauchi teach or suggest the transmittance of a combined set of video data in a single stream, there is no suggestion from either as to processing

the single stream at the second location to conform with the second aspect ratio according to the conversion information or the first aspect ratio, as selectable by a receiving display device. Masukura generally describes an output display device that can display the transmitted data (Masukura, p. 2, ¶ [0032]). Because the cutting-out unit 104 illustrated in Masukura, Fig. 1, shows that after an image is cut out only the processed image is transmitted, there is no processing of a single stream of data at a second location to conform with the first aspect ratio.

Yamauchi again fails to cure the deficiencies in this respect because there is no combined stream of data in Yamauchi but only multiple substreams (Yamauchi, Fig. 15). There is no teaching or suggestion in Yamauchi of processing at a second location geographically away from the first location a single stream of data, whereby a single stream can be displayed in a second aspect ratio via dynamically changing aspect ratio conversion data or in a first aspect ratio, because the recited single stream of data to be processed is absent.

Applicants respectfully submit that the specified limitations in independent claims 1, 10, and 24 are allowable for at least the foregoing reasons. Claims 2-9, 11-14, 20-23, and 25-26 each depend from these independent claims, and are believed allowable for at least the same reasons as given above. Applicants, therefore, respectfully request that the §103(a) rejections to these claims be withdrawn.

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Examining Group 2425


PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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